



April 3, 2001

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## ENGROSSED SENATE BILL No. 110

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DIGEST OF SB 110 (Updated April 2, 2001 2:34 PM - DI 98)

**Citations Affected:** IC 12-7; IC 12-17.2.

**Synopsis:** Minimum standards for child care providers. Provides certain standards that a child care provider that receives a child care development voucher must meet. Specifies that a local step ahead council may not require child care ministries to meet additional standards unless those additional standards are approved by the general assembly or the division of family and children.

**Effective:** July 1, 2001.

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### Craycraft, Lawson C

(HOUSE SPONSORS — BUDAK, CROSBY)

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January 8, 2001, read first time and referred to Committee on Health and Provider Services.

March 1, 2001, amended, reported favorably — Do Pass.

March 5, 2001, read second time, ordered engrossed. Engrossed.

March 6, 2001, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

March 12, 2001, read first time and referred to Committee on Human Affairs.

April 2, 2001, amended, reported — Do Pass.

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ES 110—LS 6422/DI 104+



April 3, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## ENGROSSED SENATE BILL No. 110

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A BILL FOR AN ACT to amend the Indiana Code concerning children.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-7-2-199.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2001]: **Sec. 199.3. "Voucher agent", for**  
4 **purposes of IC 12-17.2-3.5, has the meaning set forth in**  
5 **IC 12-17.2-3.5-2.**

6 SECTION 2. IC 12-7-2-199.5 IS ADDED TO THE INDIANA  
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
8 [EFFECTIVE JULY 1, 2001]: **Sec. 199.5. "Voucher payment", for**  
9 **purposes of IC 12-17.2-3.5, has the meaning set forth in**  
10 **IC 12-17.2-3.5-3.**

11 SECTION 3. IC 12-17.2-3.5 IS ADDED TO THE INDIANA CODE  
12 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2001]:

14 **Chapter 3.5. Eligibility of Child Care Provider to Receive**  
15 **Reimbursement Through Voucher Program**

16 **Sec. 1. This chapter applies to all child care providers regardless**  
17 **of whether a provider is required to be licensed or registered under**

ES 110—LS 6422/DI 104+



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1 this article.

2 Sec. 2. As used in this chapter, "voucher agent" means a person  
3 who contracts with the division to process applications and  
4 reimbursement for the federal Child Care and Development Fund  
5 voucher program administered under 45 CFR 98 and 45 CFR 99.

6 Sec. 3. As used in this chapter, "voucher payment" means  
7 payment for child care through the federal Child Care and  
8 Development Fund voucher program administered under 45 CFR  
9 98 and 45 CFR 99.

10 Sec. 4. A provider who:

- 11 (1) has been convicted of a felony; or  
12 (2) fails to meet the requirements set forth in sections 5  
13 through 12 of this chapter;  
14 is ineligible to receive a voucher payment.

15 Sec. 5. A provider shall have working smoke detectors that meet  
16 the standards adopted by rule for smoke detectors in licensed child  
17 care homes in the area of the facility where the provider provides  
18 child care.

19 Sec. 6. (a) A provider who is an individual shall have an annual  
20 intradermal tuberculosis test.

21 (b) A provider shall assure that all individuals who are at least  
22 eighteen (18) years of age and who:

- 23 (1) if the provider provides child care in the provider's home,  
24 reside with the provider; and  
25 (2) are employed at the facility where the provider provides  
26 child care;  
27 have an annual intradermal tuberculosis test.

28 (c) A provider shall provide the results of the tests required  
29 under subsections (a) and (b) to the voucher agent.

30 Sec. 7. A provider shall have written plans for notifying parents  
31 regarding the following:

- 32 (1) Illness, serious injury, or death of the provider.  
33 (2) Care in an emergency.  
34 (3) Emergency evacuation.

35 The plan required under subdivision (3) must be posted in a  
36 conspicuous location in the provider's facility.

37 Sec. 8. A provider who is an individual shall maintain current  
38 certification in:

- 39 (1) infant and child CPR; and  
40 (2) first aid.

41 Sec. 9. A provider shall have at least one (1) working telephone  
42 in each facility where the provider provides child care.



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1       **Sec. 10.** A provider shall conduct monthly documented fire drills  
 2       in accordance with Article 13 of the Indiana fire code in each  
 3       facility where the provider provides child care.

4       **Sec. 11.** A provider shall provide for a safe environment by  
 5       ensuring that the following items are placed in areas that are  
 6       inaccessible to the children in the provider's care:

7           (1) Firearms and ammunition.

8           (2) Poisons, chemicals, bleach, and cleaning materials.

9       **Sec. 12.** (a) A provider shall, at the provider's expense, provide  
 10      to the voucher agent a copy of a limited criminal history for:

11          (1) the provider;

12          (2) if the provider provides child care in the provider's home,  
 13          any individual who resides with the provider and who is:

14              (A) at least eighteen (18) years of age; or

15              (B) less than eighteen (18) years of age but has previously  
 16          been waived from juvenile court to adult court; and

17          (3) any individual who is employed at the facility where the  
 18          provider provides child care.

19      (b) In addition to the requirement under subsection (a), a  
 20      provider shall report to the voucher agent any:

21          (1) police investigations;

22          (2) arrests; and

23          (3) criminal convictions;

24      not listed on a limited criminal history provided under subsection  
 25      (a) regarding any of the persons listed in subsection (a).

26      **Sec. 13.** A local step ahead council may not require a child care  
 27      ministry to meet any minimum standards in addition to the  
 28      standards described in this chapter unless the additional standards  
 29      are approved by the:

30          (1) general assembly; or

31          (2) division.

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SENATE MOTION

Mr. President: I move that Senator Lawson C be added as second author of Senate Bill 110.

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## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 110, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, after "16." insert "(a)".

Page 2, after line 2, begin a new line block indented and insert:

**"(7) Conduct monthly documented fire drills in accordance with Article 13 of the Indiana fire code at the child care site.**

**(8) Provide for a safe environment by ensuring that the following items are placed in areas that are inaccessible to the children at the child care site:**

**(A) Firearms and ammunition.**

**(B) Poisons, chemicals, bleach, and cleaning materials.**

**(b) A local step ahead council may not require a child care ministry to meet any minimum standards in addition to the standards described in subsection (a) unless the additional standards are approved by the:**

**(1) general assembly; or**

**(2) division."**

and when so amended that said bill do pass.

(Reference is to SB 110 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Human Affairs, to which was referred Senate Bill 110, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-199.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 199.3. "Voucher agent", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-2.**

SECTION 2. IC 12-7-2-199.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 199.5. "Voucher payment", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-3.**

SECTION 3. IC 12-17.2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

**Chapter 3.5. Eligibility of Child Care Provider to Receive Reimbursement Through Voucher Program**

**Sec. 1. This chapter applies to all child care providers regardless of whether a provider is required to be licensed or registered under this article.**

**Sec. 2. As used in this chapter, "voucher agent" means a person who contracts with the division to process applications and reimbursement for the federal Child Care and Development Fund voucher program administered under 45 CFR 98 and 45 CFR 99.**

**Sec. 3. As used in this chapter, "voucher payment" means payment for child care through the federal Child Care and Development Fund voucher program administered under 45 CFR 98 and 45 CFR 99.**

**Sec. 4. A provider who:**

- (1) has been convicted of a felony; or**
- (2) fails to meet the requirements set forth in sections 5 through 12 of this chapter;**

**is ineligible to receive a voucher payment.**

**Sec. 5. A provider shall have working smoke detectors that meet the standards adopted by rule for smoke detectors in licensed child care homes in the area of the facility where the provider provides child care.**

**Sec. 6. (a) A provider who is an individual shall have an annual**



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intradermal tuberculosis test.

(b) A provider shall assure that all individuals who are at least eighteen (18) years of age and who:

- (1) if the provider provides child care in the provider's home, reside with the provider; and
- (2) are employed at the facility where the provider provides child care;

have an annual intradermal tuberculosis test.

(c) A provider shall provide the results of the tests required under subsections (a) and (b) to the voucher agent.

Sec. 7. A provider shall have written plans for notifying parents regarding the following:

- (1) Illness, serious injury, or death of the provider.
- (2) Care in an emergency.
- (3) Emergency evacuation.

The plan required under subdivision (3) must be posted in a conspicuous location in the provider's facility.

Sec. 8. A provider who is an individual shall maintain current certification in:

- (1) infant and child CPR; and
- (2) first aid.

Sec. 9. A provider shall have at least one (1) working telephone in each facility where the provider provides child care.

Sec. 10. A provider shall conduct monthly documented fire drills in accordance with Article 13 of the Indiana fire code in each facility where the provider provides child care.

Sec. 11. A provider shall provide for a safe environment by ensuring that the following items are placed in areas that are inaccessible to the children in the provider's care:

- (1) Firearms and ammunition.
- (2) Poisons, chemicals, bleach, and cleaning materials.

Sec. 12. (a) A provider shall, at the provider's expense, provide to the voucher agent a copy of a limited criminal history for:

- (1) the provider;
- (2) if the provider provides child care in the provider's home, any individual who resides with the provider and who is:
  - (A) at least eighteen (18) years of age; or
  - (B) less than eighteen (18) years of age but has previously been waived from juvenile court to adult court; and
- (3) any individual who is employed at the facility where the provider provides child care.

(b) In addition to the requirement under subsection (a), a

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provider shall report to the voucher agent any:

- (1) police investigations;
- (2) arrests; and
- (3) criminal convictions;

**not listed on a limited criminal history provided under subsection (a) regarding any of the persons listed in subsection (a)."**

Page 2, delete lines 1 through 9.

Page 2, line 10, delete "(b)" and insert "**Sec. 13.**".

Page 2, line 12, delete "subsection (a)" and insert "**this chapter**".

and when so amended that said bill do pass.

(Reference is to SB 110 as printed March 2, 2001.)

SUMMERS, Chair

Committee Vote: yeas 10, nays 0.

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